

### REMARKS

It is noted that this patent application was filed on 04/12/1999, and that a response to the first Office Action was mailed on 06/02/2002. However, and despite the mailing of two Status Inquiries on 06/21/2004 and 01/19/2005, the second non-final Office Action was not mailed until 09/22/2006. It is respectfully requested that the further prosecution of this patent application be carried out in a timely fashion so that this patent application can be advanced to issuance and the grant of U.S. Letters Patent without further undue delay.

The Examiner has rejected claims 1-31 under 35 U.S.C. 102(e) as being anticipated by the commonly-owned US Patent No.: 6,119,002 (Alanara). This rejection is respectfully disagreed with, and is traversed below.

It is first noted that claims 19 and 30 were cancelled without prejudice in the response mailed on 06/02/2002.

It is also noted that the pending claims have been further clarified by amendment, and that subsequent references to the claim language are made in the context of the claims as amended above. As a part of this amendment claims 3, 11, 18 and 20 have been cancelled without prejudice or disclaimer.

The commonly-owned Alanara US Patent describes, such as in col. 2, lines 48-65, in part:

"(a) tuning a receiver of the mobile station to an **analog control channel (ACC)** that is broadcast by a base station that services a current cell within which the mobile station is operating; (b) **receiving at least one repeat of a control word from the ACC**; (c) determining if the received repeat of the control word was received without error; and, for the case where the control word was received without error, (d) **tuning the mobile station to at least one other control channel and making a received signal strength measurement from the at least one other control channel**. The other control channel may be an ACC of a neighboring cell, a digital control channel (DCCH) of the mobile station's current cell, or a DCCH of a neighboring cell.

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The Examiner is respectfully reminded that for a rejection to be made on the basis of anticipation, it is well recognized that "to constitute an anticipation, all material elements recited in a claim must be found in one unit of prior art", Ex Parte Gould, BPAI, 6 USPQ 2d, 1680, 1682 (1987), citing with approval In re Marshall, 578 F.2d 301, 304, 198 USPQ 344, 346 (CCPA 1978).

In contradistinction to the disclosure of Alanara, in the instant patent application the independent claims are drawn to subject matter that includes, as in claim 1:

**"receiving a first paging frame from a digital control channel transmitted by a first base station;  
initiating a timing sequence after receiving said first paging frame;  
prior to completion of the initiated timing sequence, scanning for system parameters from a digital control channel of at least one second base station; and  
receiving a second paging frame from the digital control channel transmitted by said first base station."**

Clearly the disclosure of Alanara does not anticipate the subject matter of the independent claims, since Alanara does not disclose receiving first paging frame from a digital control channel. Instead Alanara discloses receiving at least one repeat of a control word from an analog control channel.

In that each of the independent claims 1, 9, 17 and 24 are clearly not anticipated by Alanara, then all claims that depend from these claims, for at least this reason alone, are not anticipated by Alanara.


The Examiner is respectfully requested to reconsider and remove the rejections of the claims 1, 2, 4-10, 12-17, 21-29 and 31 as now further clarified by amendment, and allow these claims.

Claims 32-39 are newly added, and are supported by the specification and drawings as filed. For example reference may be made to page 19, line 20, to page 20, line 8, and to page 21, lines 12-25. No new matter is added. Claims 32-39 are also deemed to be allowable for at least the reasons that claims 1, 2, 4-10, 12-17, 21-29 and 31 are allowable.

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An early notification of the allowability of all of the now pending claims is earnestly solicited.

Respectfully submitted:

  
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Date

Reg. No.: 32,493

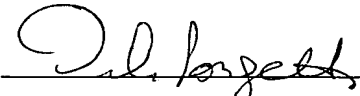
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November 27, 2006        
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